

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 215709

62

ORIGIN ORM-02

INFO OCT-01 IO-13 ISO-00 DHA-02 /018 R

66011

DRAFTED BY: D/HA/ORM:HBCUSHING:CML

APPROVED BY: D/HA - JLCARLIN

----- 057764

P 311758Z AUG 76

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

LIMITED OFFICIAL USE STATE 215709

FOR AMBASSADOR SCRANTON

FOLLOWING REPEAT GENEVA 6892 ACTION BANGKOK JAKARTA KUALA LUMPUR  
SINGAPORE SECSTATE INFO BONN CANBERRA LONDON MANILA OTTAWA  
PARIS ROME TAIPEI TOKYO VIENNA WELLINGTON BRUSSELS HONG KONG  
30 AUG 1976.

QUOTE LIMITED OFFICIAL USE GENEVA 6892

E.O. 11652: N/A

TAGS: SREF

SUBJECT: INDOCHINESE REFUGEE BOAT CASES: INTERVENTION WITH HIGH  
COMMISSIONER FOR REFUGEES

REF: A. GENEVA 6862 (NOTAL; B. STATE 212638 (NOTAL,  
C. STATE 213349 (NOTAL), D. STATE 213600

1. DCM, ACCOMPANIED BY HUMANITARIAN AFFAIRS COUNSELOR,  
MET WITH HIGH COMMISSIONER FOR REFUGEES, SADRUDDIN AGA  
KHAN, AND DEPUTY COMMISSIONER, MACE, THIS MORNING  
AS SCHEDULED (REF A). DCM OPENED SESSION WITH BRIEF  
DESCRIPTION OF WORSENING SMALL BOAT REFUGEE SITUATION  
IN SOUTH CHINA SEA, MAKING PARTICULAR REFERENCE TO  
CHOU-LONG AND "BOAT OF 95" CASES, AND DRAWING UPON  
REFS B AND C TO URGE THAT HIGH COMMISSIONER  
ACT PROMPTLY BOTH IN GENEVA AND IN FIELD TO MEET GROWING  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 215709

PROBLEM. HE ALSO URGED THAT UNHCR STAFFS IN AREA BE

AUGMENTED AS NECESSARY DURING THIS CRITICAL PERIOD TO ADEQUATELY HANDLE SMALL BOAT CASES AS AND WHERE THEY AROSE. THE NEED FOR UNHCR TO TAKE THE LEAD IN COORDINATING AND SPEARHEADING THIS EFFORT, AND TO FOLLOW UP HIS EXCELLENT INITIAL APPEAL WITH NATIONS OF FIRST ASYLUM AND RESETTLEMENT WAS ALSO UNDERSCORED.

2. SADRUDDIN RESPONDED BY SAYING THAT BEFORE GETTING INTO PARTICULARS OF CASE, HE WOULD APPRECIATE HEARING MISSION'S JUDGEMENT, FROM MANY COMMUNICATIONS IT HAD RECEIVED ON SUBJECT, AS TO LEGAL STATUS OF THESE REFUGEES. PROBLEM WAS NOT, HE EXPLAINED, THAT HE PERSONALLY HAD ANY QUESTION AS TO THEIR ACTUAL REFUGEE STATUS, BUT THAT IN INSTRUCTING HIS FIELD REPRESENTATIVES TO APPROACH GOVERNMENTS OF FIRST SSYLUM, QUESTION WOULD CERTIANLY BE RAISED BY LATTER. WERE THESE ACTUALLY PEOPLE FLEEING PERSECUTION, OR WERE THEY SIMPLY AT VARIANCE WITH THE NEW FORM OF GOVERNMENT? FURTHER, HE UNDERSTOOD FROM HIS REPRESENTATIVES THAT ALMOST ALL OF THESE PEOPLE WERE CHINESE ETHNICS. WAS THIS CORRECT? HE WAS TOLD THAT WITHOUT EXCEPTION, ALL POSTS IN AREA IN THEIR COMMUNICATIONS HAD TERMED THESE PEOPLE "REFUGEES". WHILE DETAILS OF REASONS FOR FLEEING VIETNAM WERE NOT AVAILABLE TO MISSION IN INDIVIDUAL CASES, IT WAS EVIDENT THAT ANYONE PLACING NOT ONLY HIS OWN LIFE, BUT THOSE OF HIS WIFE AND SMALL CHILDREN IN JEOPARDY BY TAKING TO THE OPEN SEA IN FRAIL CRAFT WERE DESPERATE AND, THEREFORE, MANIFESTLY IN A REFUGEE STATUS. (SADRUDDIN INTERJECTED THAT HE HIMSELF WAS NOT DISPUTING THIS POINT). AS FOR THE ALLEGATION THAT ALMOST ALL BOAT CASES INVOLVED CHINESE ETHNICS, MISSION REPS STATED THEY COULD NEITHER CONFIRM NOR DENY, BUT THAT PERHAPS EVEN MORE SO IF THIS WERE CASE, REFUGEE STATUS WOULD BE ESTABLISHED ON GROUNDS OF ETHNIC PERSECUTION. SADRUDDIN AGREED.

3. HIGH COMMISSIONER MENTIONED THAT MAJOR POINT ON WHICH COUNTRIES OF FIRST ASYLUM WANTED ASSURANCES WAS THAT U.S. WOULD GUARANTEE RESETTLEMENT OF ALL BOAT CASES LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 215709

LANDED. HE WAS TOLD THAT, AS HE WAS AWARE, SUCH ASSURANCES COULD NOT BE GIVEN UNDER U.S. LAW, BUT THAT HISTORICALLY U.S. ITSELF HAD TAKEN BULK OF CASES AND LENT ITS FULL EFFORTS TOWARD RESETTLEMENT OF THESE REFUGEES.

4. AT THIS POINT CONFERENCE WAS INTERRUPTED WITH CALL FROM SINGAPORE WHICH NOTIFIED HIGH COMMISSIONER

THAT REFUGEES FROM CHOU-LONG HAD BEEN SAFELY LANDED THERE AND THAT AUSTRALIA WOULD TAKE ALL 24 PERSONS INVOLVED. CONCURRENTLY, A CABLE ARRIVED WITH THE INFORMATION THAT KUALA LUMPUR HAD AGREED TO POSTPONE THE FORCIBLE EVICTION OF 95 REFUGEES THERE UNDER MALAYSIAN RED CRESCENT AUSPICES AND UNHCR ASSURANCES AS TO EVENTUAL RESETTLEMENT.  
(LATER CONVERSATION WITH DEPUTY UNHCR RAISED QUESTION WHETHER ASSURANCE WAS FROM UNHCR OF U.S. EMBASSY KUALA LUMPUR MAY WISH TO CLARIFY.)

5. SADRUDDIN WAS INFORMED IT HAD BEEN SUGGESTED THAT A TRIP BY HIM, OR BY A HIGH LEVEL UNHCR REPRESENTATIVE, TO COUNTRIES IN THE AREA WOULD BE MOST USEFUL IN ORGANIZING SUPPORT FOR A UNHCR INITIATIVE. HE ABSORBED THIS WITHOUT COMMENT BUT DID SAY THAT "SOMETHING MUST BE DONE", AND THAT HE PROPOSED TO CALL A MEETING ON THE SUBJECT WITH HIS HIGH LEVEL STAFF MEMBERS, NOW PARTICIPATING IN A REGIONAL CONFERENCE IN BANGKOK. HE OBSERVED THAT, WHILE THE NEWS TODAY ON THE TWO MOST RECENT CASES WAS WELCOME, THESE WERE AD HOC SOLUTIONS MADE IN EMERGENCY SITUATIONS AND THERE WAS NEED FOR A LONG-TERM, COMPREHENSIVE PROGRAM FOR SMALL BOAT REFUGEES.

6. WHEN MISSION REPRESENTATIVES REFERRED TO HIS EXCELLENT INITIAL APPEAL ON BOAT CASES, SADRUDDIN COMMENTED THAT RESPONSE (FROM ONLY BELGIUM AND US) HAD BEEN DISAPPOINTING. EVEN NATIONS DIRECTLY INVOLVED, WHOSE LOCAL REPRESENTATIVES HAD EXPRESSED SYMPATHY, SUCH AS AUSTRALIA, HAD NOT GIVEN SPECIFIC ANSWERS, PARTICULARLY AS TO HIS QUOTA PROPOSAL. MISSION OFFICERS SUGGESTED THAT SADRUDDIN CALL IN REPRESENTATIVES LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 STATE 215709

INDIVIDUALLY AND AGAIN URGE THEIR COUNTRIES' ACTIVE SUPPORT FOR THIS PROGRAM. HE WAS ASSURED THAT US WOULD BACK HIM UP IN EVERY FEASIBLE MANNER, INCLUDING APPROACHES TO INDIVIDUAL GOVERNMENTS WHERE HE FELT THIS MIGHT BE USEFUL. HE EXPRESSED GREAT APPRECIATION FOR THIS OFFER.

7. OF RELATED INTEREST, MISSION WAS NOTIFIED AFTER MEETING THAT UNHCR HAD RECEIVED MESSAGE FROM ITS AREA REPRESENTATIVE, SAMPAKUMAR, THAT INDONESIAN GOVERNMENT WOULD RESPOND FAVORABLY TO HIS PLEA ON BEHALF OF FUTURE BOAT CASES. HE CABLED THAT GOI EXPLAINED THAT FORCIBLE PUTTING TO SEA OF CHOU-LONG WAS RESULT OF "BREAKDOWN OF COMMUNICATIONS" BETWEEN JAKARTA AND NATUNA ISLAND. CATTO UNQUOTE ROBINSON

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REFUGEES, POLITICAL ASYLUM, SHIPS, RESCUE OPERATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 31 AUG 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** KelleyW0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE215709  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** D/HA/ORM:HBCUSHING:CML  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760330-1002  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976082/aaaaaazd.tel  
**Line Count:** 169  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ORM  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 GENEVA 6862, 76 STATE 212638, 76 STATE 213349, 76 STATE 213600  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** KelleyW0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAR 2004 by greeneet>; APPROVED <29 JUL 2004 by KelleyW0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** INDOCHINESE REFUGEE BOAT CASES: INTERVENTION WITH HIGH COMMISSIONER FOR REFUGEES  
**TAGS:** SREF, ID, UNHRC  
**To:** USUN NEW YORK  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006